

1 Total pages: 2
2 JAMES E. SALVEN
3 Chapter 7 Trustee
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11 **IN THE UNITED STATES BANKRUPTCY COURT**
12 **EASTERN DISTRICT OF CALIFORNIA**
13

14 In the Matter of

Case No. 09-60204-A-7

DC No. JES-2

15 **GERRY & ROSALINA DUQUE,**

**MOTION FOR AUTHORIZATION
TO SELL PERSONAL PROPERTY**

16 Debtor(s). _____ /

Date: February 17, 2010
Time: 9:00 a.m.
Dept: A

17 TO THE HONORABLE WHITNEY RIMEL, UNITED STATES BANKRUPTCY
18 JUDGE:

19 James Salven respectfully represents:

20 1. He is the duly appointed, qualified and acting trustee of
21 the above-entitled estate.

22 2. The above-captioned case was filed under Chapter 7 on
23 October 22, 2009.

24 3. This Court has jurisdiction over this proceeding by
25 virtue of 28 U.S.C. §1334(a). This is a "core" proceeding pursuant
26 to 28 U.S.C. §157(b) (2) (A). This motion is brought pursuant to
27 11 U.S.C. §363.

28 4. Among the assets of this estate is a 2004 BMW X5, with
approximately 92,000 miles.

5. The trustee has obtained an offer from the debtor(s)

1 GERRY & ROSALINA DUQUE to purchase said asset, for the sum of
2 \$3,000.00. Fair market value is \$19,000.00, less a valid exemption
3 of \$16,000. The bankruptcy estate is holding the funds of \$3,000.00
4 until the hearing.

5 6. The trustee has not agreed to pay commissions to any
6 party in connection with the proposed sale.

7 7. The property is to be sold subject to liens and
8 encumbrances of record, of which there are none known.

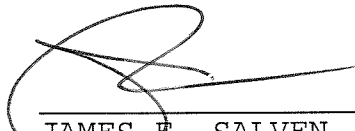
9 8. Said offer is the best and highest offer received for
10 said property and, in the opinion of the trustee, said offer is for
11 the full and fair market value of said property.

12 9. The trustee believes that confirmation of said sale on
13 the terms set forth above is in the best interest of the creditors
14 of this estate and all parties in interest.

15 **WHEREFORE**, the trustee prays that after appropriate notice and
16 opportunity to be heard, he be authorized to sell the above-
17 described asset to the debtor(s), GERRY & ROSALINA DUQUE.

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20
21 DATED: _____

1/8/10



JAMES E. SALVEN,
Movant